

# Clinical Conundrum

Addressing questions related to ethical and clinical practice issues in speech-language pathology and audiology



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**Question:** I am an SLP currently on maternity leave and, as such, changed my registration status from Registered to Non-Practicing for the duration of my leave. I have some outstanding clinical filing that I would like to complete which would involve going to my place of employment 2–3 times. I anticipate spending a couple of hours there on each occasion. I will not be working directly with any clients. Is it OK for me to complete this filing while I am non-practicing?

On the face of it, one would assume that filing is a rather benign task and the level of risk associated with completing such a task is relatively low.

According to the *Health Professions Act (HPA)*, section 46 (1) regarding mandatory registration states:

**46 (1)** *A person must apply for registration if the person*

- (a) Meets the requirements of section 28 (2) for registration as a regulated member, and*
- (b) Intends to provide one or more of the following:*
  - (i) Professional services directly to the public; . . .*
  - (iv) The teaching of the practice of a regulated profession to regulated members or students of the regulated profession;*
  - (v) The supervision of regulated members who provide professional services to the public.*

As such, by law, a person who meets the educational requirements to practice as a speech-language pathologist or audiologist, and intends to provide **any professional services** as described in the Practice Statement for that profession, must be registered with ACSLPA. This requirement is regardless of whether an individual engages in paid employment or volunteers, or practices on a full time, part time or casual basis.

When does a simple and seemingly straightforward task such as filing cross the line in terms of an acceptable task while one is in the Non-Practicing registration category? Once you start looking at files, might you be compelled to start making revisions? Would it be OK to complete additional documentation while you are “non-practicing”? What about running into a colleague to whom many of your client files were transferred? Is it OK to provide additional anecdotal information and recommendations regarding those clients since you are on-site and available for discussion anyway? One can see that boundaries can become murky relatively quickly.

Obviously the best-case scenario is that all job-related duties, including filing, are completed prior to the commencement of a leave and/or a change in registration status. If this is not possible, can you engage a trusted administrative assistant, a professional practice leader or supervisor to complete priority administrative duties on your behalf?

Another consideration quite apart from mandatory registration is professional liability insurance coverage. Regulated members are encouraged to contact their insurance providers to determine which, if any, work activities are deemed acceptable while in the Non-Practicing registration category. General liability insurance coverage may also be an issue – what if an accident occurs while the person on leave is on the work premises?

Before you decide to complete those last minute duties, reflect on the necessity and consider your options. While the likelihood of an issue arising is admittedly very small, it's important to note that whether you hold a practice permit or are in the Non-Practicing registration category, should you inadvertently move into the realm of professional practice, you remain subject to the complaints process and can be held to account for any of your actions.

We welcome your thoughts on this or any other clinical conundrum! Readers are encouraged to submit both their comments and their ethical clinical issues in question format to Susan Rafaat ([director2@acslpa.ab.ca](mailto:director2@acslpa.ab.ca)) for SLP-related issues and to Holly Gusnowsky ([director1@acslpa.ab.ca](mailto:director1@acslpa.ab.ca)) for audiology-related issues

